



TFW

CASE LD0283 DIV 1

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Gary D. Greenblatt
Type or print name

Gary D. Greenblatt
Signature

9/25/06
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

DANIEL BENIGNI, ET. AL..

APPLICATION NO: 10/805,724

FILED: 03/22/2004

FOR: METHODS FOR THE PREPARATION, ISOLATION AND
PURIFICATION OF EPOTHILONE B, AND X-RAY CRYSTAL
STRUCTURES OF EPOTHILONE B

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PLEASE
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10/24/06

Substitute Declaration

Sir:

Applicants respectfully submit a Substitute Declaration for the above application. In compliance with 37 CFR 1.63 the newly signed declaration has been signed by all inventors.

The substitute declaration in the present divisional application is being submitted to provide a single declaration to replace the following declarations:

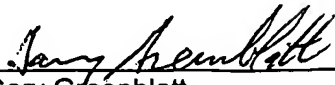
- a) the declaration filed in the parent application 10/668,032, in which nine persons were deleted from the list of inventors and with Daniel Benigni remaining as a common inventor in the parent application and the present divisional application; and
- b) the declaration filed in the present divisional application in which Jack Gougoutas and John DiMarco were added as new inventors.

Applicants believe no fee is due. If this is incorrect, the Commissioner is hereby authorized to charge any additional fees under § 1.17 to Deposit Account No. 19-3880 in the name of Bristol-Myers Squibb Company.

Bristol-Myers Squibb Company
Patent Department
P.O. Box 4000
Princeton, NJ 08543-4000

9/25/06

Respectfully submitted,



Gary Greenblatt
Agent for Applicant
Reg. No. 47,609



PLEASE
ENTER NO
10/28/06

Case LD0283 DIV 1

SUBSTITUTE

DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATIONS

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,
and

I believe I am an original, first and joint inventor of the subject matter which is claimed
and for which a patent is sought on the invention entitled

**METHODS FOR THE PREPARATION, ISOLATION AND
PURIFICATION OF EPOTHILONE B AND X-RAY CRYSTAL
STRUCTURES OF EPOTHILONE B**

the specification of which was filed on March 22, 2004 as U.S. Application No. 10/805,724, and
was amended on June 15, 2004.

I hereby state that I have reviewed and understand the contents of the above identified
specification, including the claims.

I acknowledge my duty to disclose all information which is known by me to be material to
the patentability of this application as defined in 37 C.F.R. §1.56.

I hereby claim the benefit under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign
application(s) for patent or inventor's certificate listed below and under 35 U.S.C. §365(a) of any
PCT international application(s) designating at least one country other than the United States
listed below and have also listed below any foreign application(s) for patent or inventor's
certificate or any PCT international application(s) designating at least one country other than the
United States for the same subject matter and having a filing date before that of the application
the priority of which is claimed for that subject matter:

None

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below:

Application No.

Filing Date

60/412,994

September 23, 2002

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and under 35 U.S.C. §365(c) of any PCT international application(s) designating the United States listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in said prior application(s) in the manner required by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose all information known by me to be material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date(s) of the prior application(s) and the national or PCT international filing date of this application:

<u>United States Application No.</u>	<u>United States Filing or §371 Date</u>	<u>Status or U.S. Patent No.</u>	<u>International Application No.</u>	<u>International Filing Date</u>
10/668,032	September 22, 2003	Pending	--	--

I hereby appoint the attorneys and agents associated with **Customer No. 23914**, respectively and individually, as my attorneys and agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please address all communications to the address associated with **Customer No. 23914**, which is currently Louis J. Wille, Bristol-Myers Squibb Company, Patent Department, P.O. Box 4000, Princeton, NJ 08543-4000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FIRST JOINT INVENTOR:

Full name : Daniel A. Benigni

Signature : DA Benigni

Date : 09/18/06
(MM/DD/YY)

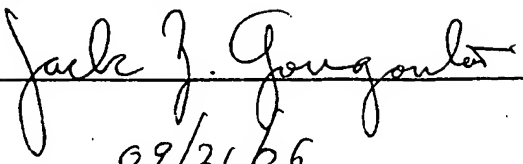
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SECOND JOINT INVENTOR:

Full name : **Jack Z. Gougoutas**

Signature : 

Date : 09/21/06
(MM/DD/YY)


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THIRD JOINT INVENTOR:

Full name : **John D. DiMarco**

Signature : 

Date : 9/21/06
(MM/DD/YY)

Citizenship : United States of America

Residence : East Brunswick, New Jersey

P.O. Address : 16 Neal Drive
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IMPORTANT: Before this declaration is signed, the patent application (the specification, the claims and this declaration) must be read and understood by each person signing it, and no changes may be made in the application after this declaration has been signed.